



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

WenLiangYan

Serial No.: 09/997,240

Filed: November 30, 2001

For: Isolated Homozygous Stem Cells,
Differentiated Cells Derived Therefrom, And
Materials And Methods For Making And Using
Same.

Art Unit: 1645

Examiner: To Be Assigned

Atty. Docket: 0249-0001

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner of Patents
Washington, D.C. 20231

Attention: Manager, Application Branch

Sir:

In response to the communication of February 14, 2002, Applicants submit a Declaration/Power of Attorney, Substitute Drawings, Sequence Listing, a copy of the Notice of Missing Parts and the required fee of \$3,508.00, for filing in the above-identified application.

Please associate the enclosed declaration with the above-identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0622. If a fee is required

for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

SHANKS & HERBERT

By: _____

Toni-June Herbert
Toni-June Herbert
Reg. No. 34,348

Date: _____

4/15/02

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314
(703) 683-3600

SHANKS & HERBERT

Intellectual Property Advocates

TransPotomac Plaza, 1033 N. Fairfax St., Suite 306, Alexandria, VA 22314
 Telephone: 703-683-3600 Facsimile: 703-683-9875 Email: Joseph@mail.ipadvocates.com

April 15, 2002



Honorable Commissioner of
 Patents and Trademarks
 Washington, D.C. 20231

Re: U.S. Patent Application
 Serial No.: 09/997,240
 Filed: November 30, 2001
 For: Isolated Homozygous Stem Cells, Differentiated Cells Derived
 Therefrom, And Materials And Methods For Making And Using
 Same
 Inventor(s): Yan, W.
 Attorney Docket No.: 0249-0001

Sir:

The following documents are forwarded herewith for appropriate action by the
 U.S. Patent and Trademark Office:

1. Transmittal Letter to the USPTO;
2. Response to the Notice to File Missing Parts of Appl.;
3. One copy of the Notice to File Missing Parts of Appl.;
4. Combined Declaration/Power of Attorney;
5. Submission of Sequence Listing;
6. Statement To Support Filing and Submission;
7. Paper Copy of the Sequence Listing;
8. Computer readable form of the Sequence Listing;
9. Substitute Drawings comprised of Figs 1-9B (1 set of black and white photos
 of Figs. 5A – 9B, and 1 set of color photos of Figs 5A – 9B);
10. Our check in the amount of \$3508.00; and
11. 1 return postcard

It is respectfully requested that the attached postcard be stamped with the date of
 filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

Toni-Junell Herbert
 Reg. No. 34,348

West Coast Office

4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122
 Telephone: (858) 597-6688 Facsimile: (858) 597-6682

09997240.041502 #7



APR 15 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 WWW.USPTO.GOV

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/997,240 | 11/30/2001 | WenLiang Yan | 0249-0001 |

CONFIRMATION NO. 2508

FORMALITIES LETTER



OC000000007474192

 Shanks & Herbert
 TransPotomac Plaza
 1033 N. Fairfax Street, Suite 306
 Alexandria, VA 22314

Date Mailed: 02/14/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2638.
 - \$1602 for 89 total claims over 20.
 - \$756 for 9 independent claims over 3.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3508.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

04/17/2002 VTRUONG1 00000066 09997240

 05 FC:101
 02 FC:105
 03 FC:102
 04 FC:103

 280.00 OP
 130.00 OP
 756.00 OP
 1602.00 OP

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 01 FC:101
 02 FC:105
 03 FC:102
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 05 FC:104

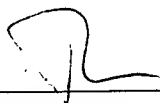
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- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE